

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 28, 1960
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by FATHER JOHN PAYNE, St. Ignatius Church.

Councilman White moved that the Minutes of the Meetings of April 14th and April 20, 1960, be approved. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mr. DAVID BARROW, representing the University Baptist Church, appeared in the interest of obtaining permission to install private electric light poles to flood light the front of the church on Guadalupe south of West 22nd Street. Mr. Barrow was asked about the insurance and he stated he would carry it if the City required it, and the Mayor stated the City did require it. The City Attorney read the provisions of the Resolution. Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the University Baptist Church is the owner of property abutting West 22nd Street and Guadalupe Street, in the City of Austin; and

WHEREAS, said Church desires to illuminate the east facade of the Sanctuary building which is now located thereon; and,

WHEREAS, in order to illuminate such improvement it will be necessary to install two small steel poles approximately ten feet high, with underground

wiring to the main Church building, and set approximately eighteen inches inside the curb line, the University Baptist Church has made application for installation of same at the following locations, to wit:

NO. 1 BEING located at the point of intersection of a line 48.35 feet south of and parallel to the centerline of West 22nd Street with a line 21.70 feet west of and parallel to a monument line in Guadalupe Street as established by the Department of Public Works of the City of Austin;

NO. 2 BEING located at the point of intersection of a line 109.85 feet south of and parallel to the centerline of West 22nd Street with a line 21.70 feet west of and parallel to a monument line in Guadalupe Street as established by the Department of Public Works of the City of Austin.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the application of the University Baptist Church to install and maintain two small steel poles at the above described locations be and the same is hereby granted and the Building Inspector is hereby authorized to issue a permit for the installation of such poles, said grant and permit to be subject to the following conditions:

- (1). The installation of said poles shall be constructed and maintained in compliance with all ordinances relating thereto.
- (2). The permit shall be issued and accepted subject to all reasonable police, traffic, fire, and health regulations of the City of Austin, now existing or hereafter adopted.
- (3). The repair or relocation of said poles shall be done at the expense of the University Baptist Church.
- (4). The University Baptist Church will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the installation or maintenance of said poles.
- (5). The City of Austin may revoke such permit at any time and upon such revocation the owner shall remove such poles and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

MR. JOHNNIE B. ROGERS appeared before the Council making inquiry about the paving on Rundell and Bluebonnet Lane, stating there was some misunderstanding about the timing. Councilman White stated October was the date the contract would be let, and that it would be December before the paving was completed. The Director of Public Works stated that letting the contract in October depended upon the clearance of the utilities, and stated there were six miles of streets in this area that were to be paved. He said there was

a storm sewer that had to be completed, and there was one easement that was holding up the right-of-way. The Superintendent of Water Utilities was uncertain as to the date the water and sewer lines would be ready for paving, as he said all of the crews were working full time and that as much as could be was being contracted out. Mr. Rogers volunteered his help on getting the necessary easement for the storm sewer, and the Mayor stated that the work would be expedited as best as could be.

MR. DAVID BARROW stated that he had an option on the property owned by Texas Crushed Stone, and the Lutheran Church wanted to purchase this. The only way that water could be furnished this property, which was outside of the City limits, was for the line to cross MR. W. P. ALLEN'S property. He said Mr. Allen would give the easement but he wanted to be given assurance that he would not be taken into the city limits because of that water line. Councilman Perry noted that there were some times that Highland Park West did not have sufficient water. The Superintendent of the Water Department stated this shortage was due perhaps to the booster pump being out of operation. He said there would be sufficient water for a church. The Mayor stated that if they were willing to run the line and pay $1\frac{1}{2}$ times the water rate, with no guarantee to Mr. Allen about annexing, this could be worked out; that the subdividers were not being asked to come into the City until they were ready to subdivide. Councilman Palmer moved that subject to the Mayor's recommendation, that Mr. Barrow be permitted to extend his line and tie on the city's line. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Director of Planning pointed out an area that was being annexed by the City, and this annexation would cause an area to be completely surrounded by the city limits, and that the Planning Commission had recommended that this territory be annexed also. The property in question belonged to Al Erlich's Lumber Yard, and to the owner of "Flossies Fine Foods". Councilman Palmer suggested that Mr. Osborne contact the property owners in this triangular shaped area and see if they want to come in voluntarily. Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
8.784 ACRES OF LAND, SAME BEING OUT OF AND A PART OF
THE HENRY P. HILL LEAGUE IN TRAVIS COUNTY, TEXAS,
WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO
AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY
OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 11.88 ACRES OF LAND MORE OR LESS, BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

MR. R. B. SMITH reviewed his request for a street light in the alley between 7th and 8th Streets just west of Chalmers, stating a Council had promised this light some 30 years ago when the old tower light was damaged and taken down and when two other lights in the alley between 6th and 7th Streets were installed. Councilman White stated he had checked into this, and there was a policy that lights were not put in alleys, and he would not recommend changing the policy in this case, but would recommend putting a light at the Church. The City Manager explained the system of street lighting with control switches, and the wiring with continuous service. The Council stated it would make a personal inspection of the area and let Mr. Smith have the answer next week.

The Mayor brought up the following zoning applications deferred from last week:

B. F. McCOY	1191-95 (1193) Airport Boulevard	From "C" Commercial To "C-2" Commercial RECOMMENDED by the Planning Commission
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Mr. McCoy represented himself. No opposition appeared. The Mayor asked those who wished to grant the change to "C-2" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Palmer, White, Mayor Miller
Noes: Councilman Perry
Present but not voting: Councilman Bechtol

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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KENNETH S. WENDLER

901-05 West 19th Street
1808-10 Pearl StreetFrom "A" Residence 1st
Height & Area
To "BB" Residence 2nd
Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "BB" Resi-
dence 1st Height & Area

Mr. Edward Wendler represented the applicant, and stated they wanted to build an 11 apartment unit here. Opposition was expressed by MRS. J. W. BRADFIELD. Mr. Wendler agreed to accepting "BB" Residence 1st Height and Area rather than 2nd Height and Area as he requested. Councilman Bechtol moved that the zoning be changed to "BB" Residence 1st Height and Area. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "BB" Residence 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance.

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MR. THOMAS G. GEE appeared before the Council and asked that the South Terrace Addition of Mr. Nelson Puett, now on appeal to the City Council from the decision of the Planning Commission as to the width of Lightsey Road, be referred back to the Planning Commission for study under the new policy. Councilman Bechtol moved the matter be referred back to the Planning Commission for study and recommendation. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council unanimously endorsed the Proclamation setting aside the Week of May 2nd as Civitan Ice Show Week. The Mayor congratulated the Civitan Club on bringing the Ice Show to Austin and spending the proceeds for charity and for the good of the people of Austin.

The Council unanimously endorsed the Proclamation setting May 4, 1960, as LADY BIRD JOHNSON DAY.

Mayor Miller read a letter from Mr. A. A. Thompson, 4213 Speedway, making complaint on the use of the fogging machine, stating the chemicals damaged the fruit trees.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH CHARLES D. NASH; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH PAT STANFORD AND ASSOCIATES; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that

the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

MAYOR MILLER read the following letter from Mr. V. A. Gordon, Vice President, Missouri Pacific Railroad Company:

"April 21, 1960
92.5.322

"Hon Tom Miller, Mayor,
City of Austin,
Austin, Texas.

"Dear Mayor Miller:

"Further with reference to so-called "Missouri Pacific Boulevard"; north of Austin, between 5th Street and Northland Drive, and in reply to your letter of March 23 with respect thereto.

"In my letter to you of September 26, 1959, I spelled out the general terms under which I could make favorable recommendation to my management. One of these terms was that Missouri Pacific would make available to the City of Austin a 50 ft. strip of right-of-way on each side of its main track as its participation in the project. In your letter of March 23 you asked that we consider, in addition to the right-o-way, further participation to the extent of \$16,000 to each of the grade separations involved. As I have indicated to you and your council, I firmly believe the right-of-way which Missouri Pacific would make available is a more substantial contribution than would normally be made to such a project, and the further fact that the cost, including improvements, to secure a right-of-way elsewhere would virtually preclude the undertaking.

"Your letter of March 23 confirmed your verbal advice to me at our last Austin meeting that the City would be interested in buying at a fair price the acreage we own just south of our passenger station, maintaining lateral support where needed. I have had our engineer make a survey to determine the amount of property we could dispose of, and am advised there are approximately five acres involved. At the time we built our present passenger station, a portion of this five acres was acquired from a Mr. Janes at a price of \$9,000 per acre. Using this figure the five acres would have a value of \$45,000. If we could agree that the value of this property would apply against Missouri Pacific's participation in the grade separations, I would then consider recommending to my management that the railroad participation to the extent of \$15,000 per grade separation up to a total of five separations, with the value of the land to be applied at the rate of \$15,000 per grade separation as completed until such land value is exhausted, after which the remainder is to be paid in cash, it being understood that such cash participation would be made at the completion of each of the last two grade separations. As stated above, I feel our original proposal was a liberal one, but am willing to consider the additional participation in view of the good relationship between your City and our railroad.

"The other basic principles in my letter of September 26, 1959, would remain.

"Grade Separations involved would be Windsor, Westover, 35th Street, Perry Lane and Hancock Drive. 5th Street, 6th Street and Enfield are already separated.

"Another item not mentioned in your letter of March 23 was relocation of our Hooper Team Track, which am sure was an oversight.

"If the above, along with basic principles set forth in my letter of September 26, 1959, are satisfactory to you, please advise, and will then seek approval of my management.

"Yours very truly,
(Sgd) V. A. Gordon"

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the southwest corner of the intersection of New Manor Road and Old Manor Road, which property fronts 150.0 feet on New Manor Road and 150.0 feet on Old Manor Road and is known as a portion of the A. B. Spear Survey in the City of Austin, Travis County, Texas, and hereby authorizes the said Vernon Cook to construct, maintain, and operate a drivein gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said Vernon Cook has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"April 28, 1960

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Vernon Cook for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southwest corner of the intersection of New Manor Road and Old Manor Road, which property fronts 150.0 feet on New Manor Road and 150.0 feet on Old Manor Road and is known as a portion of the A. B. Spear Survey in

the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Vernon Cook and is to be leased to Texaco Incorporated. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "General Retail" upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Vernon Cook be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - H - 1720.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1720 and shall be of the premoulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(Sgd) Dick T. Jordan
Building Official"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "I", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING: (1) A TRACT OF LAND FRONTING 104.61 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF E. 12TH STREET AND 208.12 FEET ON THE EAST RIGHT-OF-WAY LINE OF SPRINGDALE ROAD, LOCALLY KNOWN AS 4601-4603 E. 12TH STREET AND 1165E-1173E SPRINGDALE ROAD, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; (2) AN IRREGULAR TRACT OF LAND FRONTING 85 FEET ON THE WEST RIGHT-OF-WAY LINE OF SPRINGDALE ROAD AND 200 FEET ON THE NORTH RIGHT-OF-WAY LINE OF EAST 12TH STREET, LOCALLY KNOWN AS 1200-1202 SPRINGDALE ROAD AND 4124-4128 EAST 12TH STREET, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID ABOVE PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller
Noes: Councilman Perry

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The

motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller
Noes: Councilman Perry

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller
Noes: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING:
(1) LOT 1, BLOCK "B", BREEZY HOLLOW ADDITION, SECTION 1, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;
(2) TWO TRACTS OF LAND FRONTING APPROXIMATELY 556 FEET ON THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 20, LOCALLY KNOWN AS 1300-1404 STATE HIGHWAY NO. 20, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID ABOVE PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer,

carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that because of changed conditions the present maximum reasonable and safe speed for the operation of vehicles at the following location is not now forty-five (45) miles per hour and that its previous finding of a maximum reasonable and safe speed of forty-five (45) miles per hour for the operation of vehicles at the following location should be deleted from Section 33.40 of the Traffic Register:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Bastrop Road (U.S. 183, S.H. 71)	East City Limits	Vargas Road

and,

WHEREAS, after an engineering and traffic investigation the City Council has found the present maximum reasonable and safe speed for the operation of vehicles if fifty (50) miles per hour at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Bastrop Hwy. (S.H. 71)	East City Limits	End of divided highway at North end of Bergstrom Interchange
North Bound Roadway of Lockhart Hwy. (U.S. 183)	First ramp for East Bound Roadway Of S.H. 71	Junction with West Bound Roadway of Bastrop Hwy. (S.H. 71)
Ben White Blvd.	West City Limits	Bastrop Hwy. (S.H. 71)

And, WHEREAS, after an engineering and traffic investigation the City Council has found that the present maximum reasonable and safe speed for the operation of vehicles is sixty (60) miles per hour during the day time and fifty-five (55) miles during the nighttime at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
South Bound Roadway of Lockhart Hwy. (U.S. 183)	First ramp for East Bound Roadway of S.H. 71	South City Limits

North Bound Roadway of
Lockhart Hwy (U.S. 183)

South City Limits

First ramp for
Eastbound Roadway
of S.H. 71

And, WHEREAS, after an engineering and traffic investigation the City Council has found that the present maximum reasonable and safe speed for the operation of vehicles is forty-five (45) miles per hour at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Bastrop Hwy. (U.S.183, S.H. 71)	End of divided high- way at North end of Bergstrom Interchange	Vargas Road

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record these findings in Section 33.40 of the Traffic Register.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain drainageway and public utilities easement was granted to the City of Austin in, upon and across four (4) strips of land, each of the said four (4) strips of land being ten (10.00) feet in width, each being out of and a part of Flournoy Acres Section 4, a subdivision of a portion of the James Trammell 1/3 League in Travis County, Texas, according to a map or plat of said Flournoy Acres Section 4 of record in Book 8 at page 168 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has agreed to grant the City of Austin an open and/or enclosed storm sewer and sanitary sewer easement at a more desirable and practical location, and has requested that the hereinafter described drainageway and public utilities easement located on such premises be released; and,

WHEREAS, the hereinafter described portion of said easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the drainageway and public utilities easement located on the hereinafter described premises:

Four (4) strips of land, each of the said four (4) strips of land being ten (10.00) feet in width, each being out of and

a part of Flournoy Acres Section 4, a subdivision of a portion of the James Trammell 1/3 League in Travis County, Texas, according to a map or plat of said Flournoy Acres Section 4 of record in Book 8 at page 168 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as No. 1 being out of and a part of Lot 9, Block "A" of said Flournoy Acres Section 4; the strip of land hereinafter described as No. 2 being out of and a part of Lot 10, Block "A" of said Flournoy Acres Section 4; the strip of land hereinafter described as No. 3 being out of and a part of Lot 3, Block "B" of said Flournoy Acres Section 4; the strip of land hereinafter described as No. 4 being out of and a part of Lot 4, Block "B" of said Flournoy Acres Section; each of said four (4) strips of land being more particularly described as follows:

No. 1 being all the north ten (10.00) feet of Lot 9, Block "A" of the said Flournoy Acres Section 4;

No. 2 being all the south ten (10.00) feet of Lot 10, Block "A" of the said Flournoy Acres Section 4;

No. 3 being all the north ten (10.00) feet of Lot 3, Block "B" of the said Flournoy Acres Section 4;

No. 4 being all the south ten (10.00) feet of Lot 4, Block "B" of the said Flournoy Acres Section 4.

The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by resolution adopted by the City Council on March 17, 1960, the City Manager was authorized to execute a warranty deed conveying 0.23 of one acre of land, same being out of and a part of the Santiago Del Valle Grant; and,

WHEREAS, it has been found and determined that the survey and field notes are in error, and that the authority granted by said resolution should be revoked and,

WHEREAS, the hereinafter described tract of land is the correctly described tract which is to be conveyed to Lloyd Payne and wife, Milda Payne, for the widening and improving of East Riverside Drive; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the authority granted to the City Manager by resolution adopted by the City Council on March 17, 1960, be revoked and that he now be and he is hereby authorized to execute a warranty deed to the following described tract of land:

0.344 of one acre of land, same being out of and a part of that certain tract of land out of and a part of the Santiago Del Valle Grant, in the City of Austin, Travis County, Texas, which was conveyed to the City of Austin, a municipal corporation in Travis County, Texas, by warranty deed dated March 16, 1960, of record in Volume 2149 at page 240 of the Deed Records of Travis County, Texas, and said 0.344 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin at the southwest corner of the herein described tract of land, same being on the proposed north line of East Riverside Drive and which iron pin is on the west line of the said Ancient and Accepted Scottish Rite of Free Masonry tract of land, which iron pin is also in the east line of that certain tract of land conveyed to Lloyd Payne, et ux, Milda Payne by warranty deed dated November 6, 1954, of record in Volume 1524 at page 458 of the Deed Records of Travis County, Texas and from which point of beginning an iron pin at the southwest corner of the said Ancient and Accepted Scottish Rite of Free Masonry tract of land bears South 30° 31' West 201.45 feet;

THENCE, with the west line of the said Ancient and Accepted Scottish Rite of Free Masonry tract of land, same being the east line of the said Lloyd Payne tract of land, North 30° 31' East 579.11 feet to the northwest corner of the herein described tract of land, same being the northwest corner of the said Ancient and Accepted Scottish Rite of Free Masonry tract of land;

THENCE, with the north line of the said Ancient and Accepted Scottish Rite of Free Masonry tract of land South 59° 29' East 25.78 feet to the northeast corner of the herein described tract of land;

THENCE, with the west line of the herein described tract of land, same being a line 25.78 feet east of and parallel to the west line of the said Ancient and Accepted Scottish Rite of Free Masonry tract of land South 30° 31' West 585.53 feet to an iron pin at the southeast corner of the herein described tract of land, same being on the proposed curving north line of East Riverside Drive, said curve having an angle of intersection of 30° 04', a radius of 784.68 feet and a tangent distance of 210.74 feet;

THENCE, with the proposed curving north line of East Riverside Drive along a curve to the left an arc distance of 21.00 feet, the sub-chord of which arc bears North 45° 21' West 20.88 feet to the point of tangency of said curve;

THENCE, continuing with the proposed north line of East Riverside Drive, same being the south line of the herein described tract of land, North 46° 07' West 5.73 feet to the point of beginning.

The motion, seconded by Councilman Bechtol, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

Councilman Bechtol moved that the final hearing on the Electric Code be set for next Thursday, May 5, at 3:00 P.M., and get notice published, and notify the interested parties. The motion, seconded by White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White
 Noes: None
 Present but not voting: Councilman Perry
 Not in Council Room when vote was taken: Mayor Miller

The City Manager stated quite a few people were calling in in the interest of the development of Bartholomew Park. He stated that when the tract of land on 41st and East Avenue was sold, it was recommended that around \$200,000 be spent on this park for the construction of a swimming pool and a bathhouse. He stated he would like to get work started on plans for this pool and bathhouse. Councilman Bechtol moved that the City Manager be authorized to proceed with the plans and specifications. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

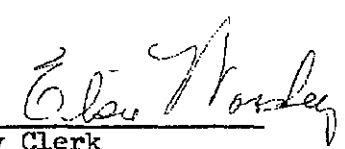
The City Manager submitted a request that the alley between 10th and 11th, and Nueces and Rio Grande Street be vacated, as the block was under one ownership, but he recommended retaining the easements. He stated a building permit had been issued and a building had been placed over the alley, on the assumption the alley had been closed, but no record of any formal closing of the alley had been found. He said throughout history, the alley had appeared on the tax maps, and that the City now had no need for the alley, except for the utility easements. The Council postponed action until next week.

The City Manager stated that MR. TOM PINCKNEY and a group had been in to talk with him, and they wanted to come before the Council, and inquired if the Council could meet with them next week, or if it cared to call a special meeting. Some of the Council members stated they might not be here next week, and the Mayor scheduled a meeting with them at 2:00 P.M., May 12th.

The City Attorney reviewed the easement proposition and the proposed exchange of a strip of city-owned land for two reserved lots and easement rights-of-way owned by Mr. Harry Wilder. The Council wanted to go look at this on the ground.

There being no further business, the Council adjourned at 1:00 P.M., subject to the call of the Mayor.

ATTEST:


 City Clerk

APPROVED

 Mayor